

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 10-15 (JNE/JJK)

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
(1) TYVARUS LEE LINDSEY, and)
)
(2) RASHAD RALEIGH,)
)
)
 Defendants.)

ORDER

This matter is before the Court upon the joint motion of the parties to exclude the period of time from the date of this order through December 30, 2010 from the Speedy Trial Act computations in this case. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by the granting of such continuance outweigh the best interest of the public and the defendant in a speedy trial. This finding is based on the facts set forth in the parties' joint motion. Specifically, trial cannot proceed until the Attorney General of the United States decides whether the government will seek the death penalty in this case, and 60 days is a reasonable estimate of the remaining time for that decision.

Accordingly, IT IS HEREBY ORDERED that the period from the date of this order through December 30, 2010 shall be excluded from the Speedy Trial Act computations in this case.

Dated: 11-8-2010

s/ Joan N. Ericksen
THE HONORABLE JOAN N. ERICKSEN
United States District Judge